

# EXHIBIT D



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the  
Application of the  
  
INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS, AIRLINE  
DIVISION  
  
alleging a representation dispute  
pursuant to Section 2, Ninth, of  
the Railway Labor Act, as  
amended  
  
involving employees of  
  
REPUBLIC AIRLINES ET  
AL./FRONTIER

38 NMB No. 45

CASE NO. R-7284  
(File No. CR-6995)

FINDINGS UPON  
INVESTIGATION

May 2, 2011

On October 4, 2010, the International Brotherhood of Teamsters, Airline Division (IBT) filed an application pursuant to the Railway Labor Act, as amended, 45 U.S.C. § 152, Ninth, alleging a representation dispute involving the craft or class of Pilots. The application was assigned File No. CR-6995. For the reasons set forth below, this decision directs an election among the Pilots.

At the time this application was filed, the Pilots at Republic Airlines (RA), Shuttle America (Shuttle) and Chautauqua Airlines (Chautauqua) were represented by the IBT pursuant to the National Mediation Board's (NMB or Board) certification in R-6199 and a voluntary recognition agreement. The Air Line Pilots Association (ALPA) was certified to represent the Pilots at the former Midwest Airlines (Midwest) in R-6549. The Frontier Airline Pilots Association (FAPA) was certified to represent the Pilots at Frontier Airlines (Frontier) in R-6630, and the United Transportation Union (UTU) was certified to represent the Pilots at Lynx Aviation (Lynx) in R-7212. The Board assigned Cristina A. Bonaca to investigate.

The Board found in *Republic Airlines et al./Frontier*, 38 NMB 138 (2011), that RA, Shuttle, Chautauqua, Frontier and Lynx comprised a single transportation system. The Board based this determination on its investigation, including submissions from the participants.

#### AUTHORIZATION OF ELECTION

Once the Board determines that a single transportation system exists, it examines the potential representation issues. The Board has extended an organization's certification to cover employees in the craft or class on the entire system when the numbers of employees on each part of the system are not comparable. See *American Airlines, Inc./TWA Airlines, LLC*, 29 NMB 260 (2002); *Continental Airlines/Continental Express*, 20 NMB 582 (1993); *Air Wisconsin, Inc./Aspen Airways, Inc.*, 18 NMB 336 (1991).

The Board's investigation establishes that there are approximately, 1986 Pilots on the pre-merger RA, Shuttle, Chautauqua part of the system, and 1139 Pilots on the other parts of the pre-merger system. These numbers are comparable and the Board authorizes an election among the craft or class of Pilots, employees of Republic Airlines et al./Frontier, using a cut-off date of September 30, 2010. IBT will appear on the ballot and the count will take place in Washington, DC.

The Carrier is hereby required to furnish, within 5 calendar days, 1" X 2-5/8" peel-off labels bearing the alphabetized names and current addresses of those employees on the List of Potential Eligible Voters. The Carrier must print the same sequence number from the List of Potential Eligible Voters beside each voter's name on the address label. The Carrier must also provide to the Board the name and sequence number of those potential eligible voters who reside outside of the United States.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson  
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